



State of Connecticut

**DDS**

Department of Developmental Services

2019-2020

Annual Report of the  
Ombudsman

Case Management

Day  
Programs

Guardianship

Client Rights

Quality  
Improvement

Respite

Information &

Referrals

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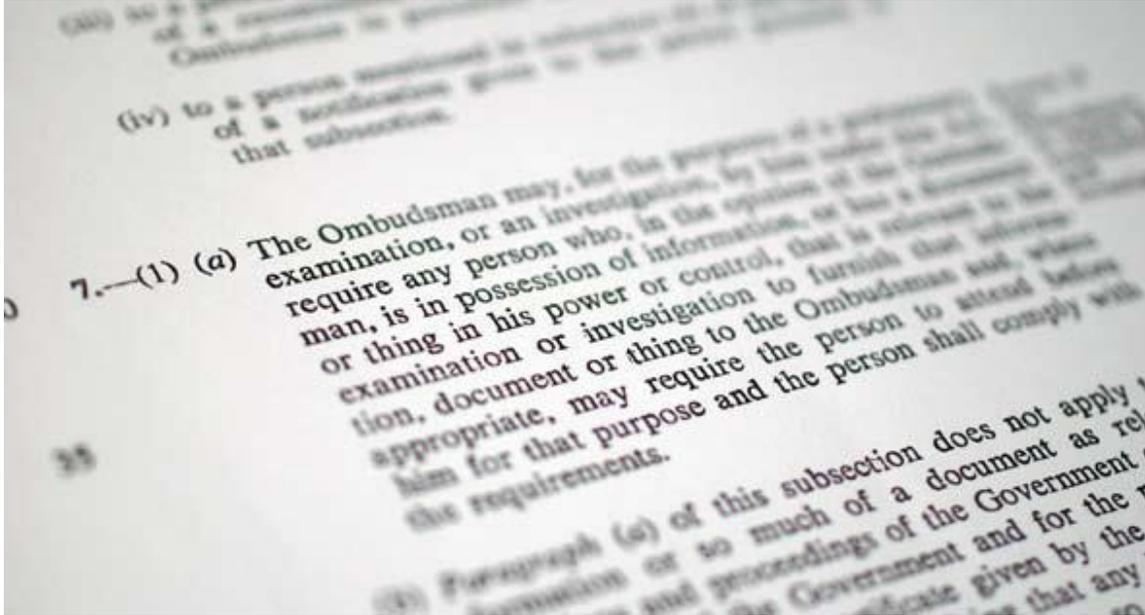
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## Mandate

**As mandated by Public Act NO. 99-271 (Sec. 17a-210a), I hereby  
submit my Annual Report of The Independent Office of the  
Ombudsman for the Department of Developmental Services.**

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## What is an Ombudsman?



In general, an ombudsman is a designated neutral person who investigates complaints, receives and provides information, suggests referrals and helps resolve concerns or conflicts from members of the public who feel they have been treated unfairly.

Ombudsmen are employed by States (Hawaii), state agencies (CT Department of Developmental Services), municipalities (Anchorage, Alaska), universities (Harvard), newspapers (New York Times), hospitals (Mayo Clinic) and countries (Australia).

The establishment of an ombudsman office for complaint resolution has grown significantly during the past 30 years in the United States and throughout the world.

The word *ombudsman* is a Swedish word meaning "agent, representative, attorney, solicitor, deputy, proxy or delegate" of the people. There are several ways to say the term. Some of the most common are:

- Ombuds
- Ombudsman
- Ombudsperson

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## Introduction to the Ombudsman

I am Edward R. Mambruno, the Ombudsman for the State of Connecticut Department of Developmental Services (DDS). I am a graduate of the University of Connecticut with a Bachelor of Science degree in Business Administration and a Master of Public Affairs Degree.

During my tenure in state service, I have been instrumental in the development and implementation of bills protecting, empowering and improving the lives of persons with developmental disabilities in the State of Connecticut.

Additionally, I have served and continue to serve on various boards and committees that improve policy for people with disabilities. Some include the President's Committee for People with Intellectual Disabilities, the Commission on Human Rights and Opportunities, the Office of Protection and Advocacy Board for persons with disabilities, the Developmental Disability Council, and the Department of Social Services Disability Council.

I served on the President's Committee for People with Intellectual Disabilities (PCPID) for two full terms. This national appointment is bestowed on only twenty one individuals in the nation. I was nominated by the PCPID Chairman to Chair the PCPID sub-committee on Employment. I served as Chair of the Employment sub-committee for two years and was a member of the sub-committee for dental care during my last term.

In 2002, I was nominated by the Governor and unanimously voted by the General Assembly to serve as a Commissioner for the Connecticut Commission on Human Rights and Opportunities (CHRO). CHRO was established to eliminate discrimination through civil and human rights law enforcement and to create equal opportunity and justice for all persons within the state. CHRO is the first and longest serving civil rights agency in the nation.

I am currently serving as Secretary of CHRO and perceive my role on this commission as an opportunity to serve as a watchdog for the human rights of persons with disabilities throughout Connecticut.

I have served as the State of Connecticut Americans with Disabilities Act (ADA) Coordinator and legislative liaison for disability policy for the Governor's Office. In this capacity, I lobbied for legislation that would help improve and empower individuals with disabilities.

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It was while I was working as the legislative liaison for the Department of Developmental Services (DDS) that I chose to apply for the newly created position of Ombudsperson for the Department of Developmental Services.

### Role and Mission of the Ombudsman

My role as the DDS Ombudsman is to safeguard the rights, independence, dignity and equality of people with intellectual disabilities who receive services from the Department of Developmental Services (DDS).

The Independent Office of the Ombudsman for the Department of Developmental Services (DDS) follows The Ombudsman Association (TOA) code of ethics and core principles. The principles adhere to **neutrality, confidentiality, and independence.**

The mission of the Ombudsman is to work on behalf of individuals with disabilities and their families addressing complaints and/or problems regarding access to services or equity in treatment. The Independent Office of the Ombudsman, hereinafter referred to as the *Office*, makes recommendations to the DDS Commissioner after noting that systemic changes can and would assist in the resolution of complaints affecting individuals with disabilities under the care or supervision of the department or of any public or private agency with which the department has contracted for the provision of services.

### The Independent Office of the Ombudsman

The Independent Office of the Ombudsman was established on June 29, 2001 in accordance with Public Act NO. 99-271 (Sec. 17a-210a).

The Office is located within the Central Office of the State Department of Developmental Services (DDS) in Hartford, Connecticut. The proximity and familiarity with CO Directors, Regional Directors and staff allows for direct access to information needed for each individual review. This collaboration achieves improved advocacy for individuals with disabilities and their families. The Office maintains a strong policy of confidentiality and individual protection and informs individuals with disabilities and their families of the role the DDS Ombudsman has in resolving concerns and issues with the department.

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The Department of Developmental Services consists of three regional offices: the North, South, and West Regions which include Southbury Training School. DDS provides approximately 16,000 individuals with supports and/or services. The Office of the Ombudsman receives referrals through individuals and their families, DDS Councils, legislative inquiries, DDS case managers, DDS newsletters, 2-1-1 info-line, and agency referrals, to name a few.

Cases are resolved or closed by researching and investigating specific complaints referred to the Office. Most times, this requires collaborating with CO staff, DDS regional staff and other state agencies that may be involved with the issues in an ancillary capacity. Once the Office has concluded its investigation into a complaint, the findings are then communicated back to the individual who issued the complaint.

The Office is mandated to assist only individuals who are eligible for DDS services and is prohibited from addressing employee or labor grievances.

The advocacy provided by the Office can prove to be a valuable resource to individuals with disabilities and families especially during these difficult times.

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**2019-2020 ANNUAL REPORT****Filing a Complaint****Which *Services* can I complain about?**

- Any services offered, contracted or overseen by The Department of Developmental Services including its regions and providers.

**Which *Issues* can I complain about?**

- Equity in treatment
- Any issues/problems involving DDS individuals

**The Ombudsman *CANNOT***

- Address complaints that are part of formal litigation or formal grievance procedures or investigations already underway.
- Give formal legal notice to the DDS regarding grievances, complaints, or concerns.
- Address concerns from employees of the DDS.
- Testify in formal or legal actions.
- Conduct formal investigations.

**When should I complain?**

Before you make your complaint, you should try and solve your problem with the parties concerned...

- Talk to the Case Manager, if still unresolved
- Talk to the Case Supervisor, if still dissatisfied
- Meet with the Regional Director, if none of the above helps

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- Contact the Office of the Ombudsman

### Where do I make a complaint?

Contact the Office by...

- Fax: 860-418-8707
- Phone: 860-418-6047 (local) & 866-737-0331 (toll free)  
TTY 860-418-6079.
- E-mail: [ed.mambruno@ct.gov](mailto:ed.mambruno@ct.gov)
- Website: <http://www.ct.gov/dds/lib/dds/ombudsperson/ombudform.pdf>
- Correspondence: 460 Capitol Avenue, Hartford, CT 06106
- In person: Please call to schedule an appointment

### How long will the process take?

- Depending on the complexity of the issue, the Office will try to resolve your complaint in 7-10 business days.

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### Years in Review for the Office of the Ombudsman

The Office has implemented several policies since its inception in 2001. It has documented each issue by category and used specific trends to set goals and meet objectives. When issues cannot be resolved, especially in situations where individuals or families are not satisfied with the results a reason was documented.

Since 2001, the Office has documented more than 10,000 issues and concerns. A complaint form is able to be filled out on the Ombudsman's website anonymously. The form is also written in Spanish, is secure and confidential. FAQ and popular links are listed on the website.

#### *Specific Projects:*

The Office took on the responsibility of developing and implementing an Americans with Disabilities Act (ADA) video training for individual's DDS serves as well as staff in 2017.

The Office completed this video as well as placed ADA Notices in public areas per the Department of Justice (DOJ) requirement. In addition, an ADA Legal Notice was published in the Hartford Courant. Also, DVDs of the ADA video were distributed to private providers. Lastly, the ADA Training Video was linked to YouTube for greater viewership.

This additional role of ADA Compliance Officer includes but is not limited to, answering questions regarding the ADA and accommodations for individual's DDS serves.

The Office met with community members from the Deaf and Hard of Hearing (DHOH) to go over issues that they had with DDS. We are in the process of bringing DDS technology up to date with current DHOH standards. Also reviewing recommendations by DHOH population regarding inclusion of DHOH with staff that use sign language.

In December of 2007, the Office implemented additional advocacy for the most vulnerable population of the Department of Developmental Services. Individuals of the DDS for a multiplicity of reasons, including rehabilitation, reside at Skilled Nursing Facilities (SNFs). The Office visited individuals residing at SNFs and spoke with residents regarding any issues they may

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have with their care and treatment. Additionally, the Office advocated for placement in the community when asked by individuals, families, guardians or case managers.

Specifically, the Office verified whether residents at SNFs have Case Management Services, availability of Day Programs, and access to Recreational Programs. A variety of advocacy and medical questions are checked using a standardized checklist, developed by the Office with input from OBRA nurses, for all individuals residing in SNFs.

Using the checklist for trend analysis, the Office made several recommendations for systemic change. These recommendations were communicated to the Commissioner, DDS Deputy Commissioner, Central Office Health Director, Central Office Utilization Nurse, DDS Aging Coordinator, the Regional OBRA Nurses, as well as the department's Long Term Care Case Managers.

The Ombudsperson recommended the following to the Department of Developmental Services for implementation:

- Improving communication between hospitals and long-term care facilities including DDS case managers when the death of a DDS individual occurs.
- A need for more case manager visits to facilities including an audit of each case.
- Updating and maintaining current contact information in an individual's chart i.e., emergency phone numbers, guardian information, allergies, doctors, etc.
- The need for DDS to develop a separate OBRA file, assign a case manager who communicates a follow-up with OBRA.
- Initiated office oversight of DDS individuals residing at SNFs in December 2007.
- Developed and currently utilizing standardized checklist for visits to SNFs.

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- Involved with the interview process in search of a DDS Dental Coordinator.
  
- Member of the Vehicle Advisory Committee. The committee reviewed transportation topics that dealt with the health and safety of both individuals and staff. One priority of this committee is to work towards developing plans that will ensure a consistent and comprehensive approach to vehicle usage.
  
- Worked with DAS and DDS in researching specific information associated with the cost of the proposed bill, HB 5537. Department was asked by the Office of Legislative Review to provide fiscal note for costs associated with implementing the proposed bill. This bill will require all vehicles to have an “occupant restraint belt” attached to wheelchair lift when “loading” and “unloading” individuals who use wheelchairs. This belt will prevent individuals from accidentally rolling off the lift while the lift is in motion. This belt will be required on all vehicles that transport individuals using wheelchairs by the DDS as well as all private providers.

The Office is also working collaboratively with DDS on many quality-of-life recommendations for the department’s individuals.

In December 2008, the enhancement of collaboration and communication between the Ombudsman and the CO Utilization Nurse proved a key element in providing services to the least protected and most vulnerable population of the DDS. Individuals of DDS for a number of reasons, including acute care and rehabilitation, reside at Skilled Nursing Facilities (SNFs). During the calendar year, the Office visited a total of **119** individuals at **40** facilities. The Office implemented additional oversight and advocacy to individuals and had the opportunity to speak with them and/or their guardians to ensure that any issues with their care and treatment were addressed.

Additionally, the Office advocated for several individuals who expressed a desire to live in the community. The Office made several recommendations to move individuals into the community from nursing homes. Fortunately, the majority of the Ombudsman’s recommendations were met. Some individuals moved into community living arrangements (CLAs), community training homes (CTHs) and in some cases back to their family residences.

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## Skilled Nursing Facility Review Form

The Office collaborated with OBRA coordinators to discuss and implement the standardization of a nursing home review checklist to use when reviewing DDS individuals residing in Skilled Nursing Facilities.

Below is a sample of the checklist used when an individual is visited.

### SAMPLE \_\_\_\_\_

#### Nursing Home Review

Date: \_\_\_\_\_

Client Name: \_\_\_\_\_

Nursing Home: \_\_\_\_\_

DDS Case Manager: \_\_\_\_\_

Contact Person: \_\_\_\_\_

- Is the DDS contact information available in the individual's chart?
- What is the Head Nurse's understanding of the DNR status for the individual?
- Does the DNR status match with DDS information?
- Are PRN meds being used for agitation?
- Are there any recent Incident Reports?
- Is DDS aware of the incidents if any?
- How does the DDS client feel about this placement? Is it appropriate?
- Has individual-consumed liquids recently; is there a pitcher and cup within reach?
- Does the DDS client receive visits from their case manager?
- Does the DDS client have a Preadmission MI/MR Identification Screen in file?
- If unable to walk, how often is individual removed (in/out) from their wheelchair?
- How much time is spent in their wheelchair each day?
- Where does the person spend most of their day

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## DDS & ADA Information

- I. The "Welcome to the Department of Developmental Services, Know the ADA" website is now on the DDS website at:  
<https://portal.ct.gov/DDS/General/ADA/Know-the-Americans-with-Disabilities-Act-ADA>

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## Complaints Form

A confidential link is provided in both English & Spanish on the Ombudsman's website where an individual can make a complaint. The complaint can be made anonymously however; all information will be generalized to maintain confidentiality. Below is what an individual will see when the link is opened.

English  
<http://www.ct.gov/dds/lib/dds/ombudsperson/ombudformes.pdf> Spanish

### SAMPLE

#### Complaints/Concerns for the Ombudsperson

All fields are optional except Name and Complaint/Concern. You may enter your full name, or use only your first name or initials, however you feel comfortable. Remember to include at least one contact method so that we may respond to your concern.

**Name:**

**Email:**

**Telephone**

**Street:**

**City:**

**State:**

**Zip Code:**

**Complaint**

**SUBMIT BY E-MAIL**

**RESET FORM**

DEPARTMENT OF DEVELOPMENTAL SERVICES

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460 CAPITOL AVENUE  
HARTFORD, CT 06106

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**2019-2020 ANNUAL REPORT****Total Concerns for 2019– 2020**

Cases are resolved by researching and investigating the complaint after it has been called into the office. Most times, this requires collaborating with CO staff, DDS regional staff and other state agencies that may be involved with the issue in an ancillary capacity. The Office is mandated to assist only individuals who are eligible for DDS services.

Per Statute, it cannot address employee or labor grievances.

After the Office has concluded its investigation into a complaint, its findings are then communicated back to the individual who issued the complaint. The Office maintains a database that logs all concerns and keeps track of all resolutions.

In **2019**, this Office addressed *over 770 cases* that involve complaints, inquiries and concerns involving the Department of Developmental Services.

In **2018**, the Office *1090* concerns.

**This resulted in a decrease of 29 %**

In **2020** this Office addressed *438 cases* that involve complaints, inquiries and concerns involving the Department of Developmental Services.

**This resulted in a decrease of cases 43 %**

Since the origination of the Office of the Ombudsperson in July 2001, more than *10,000* cases have been reviewed.

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### MEETINGS

- ❖ Attended Leadership Meeting in Waterbury to show ADA Training Video to Private Providers and Staff and answered any questions they may have regarding the content of the video.
- ❖ Attended ADACC (ADA) Conference in Newington
- ❖ Met with Department of Mental Health and Addiction Service sure that s, Client Rights and Grievance Specialist, Title II ADA Coordinator to go over handicapped parking standards
- ❖ Served on interview panel for selection of Director Position in region.
- ❖ Attended March 16<sup>th</sup> Disability Summit at Mohegan Sun. Dropped into DDS Individual and Family support table as well as CCH informational booth.
- ❖ Met with Deaf and Hard of Hearing Community at the Legislative Office Building. Answered inquiries into specific DDS questions
- ❖ Contacted UbiDuo, a company that provides a tablet that enables hearing-impaired and Deaf and Hard of Hearing to communicate interactively. Waiting on information and questions to be researched and answered by company.
- ❖ Spoke with Deaf and Hard of Hearing (DHOH ) interpreter employed by DORS about the DHOH needs and wants.
- ❖ I specifically asked what was the latest technology for communication and the next iteration of TTY.
- ❖ Also asked about preference of living together in segregated community. How this could be done and why this population wants it.
- ❖ Working with family and private provider as a liaison for communication. This task is temporary however, needed until family, private provider and DDS determine the best for individual DDS supports.
- ❖ Met with DDS and "general worker" who wanted to ask certain questions that they he did not feel comfortable in asking Human Resources. Answered individuals' questions and told them to check back with me in a few weeks if they did not feel my answers to their questions were answered adequately.
- ❖ Receiving many calls that should be referred to the "appointed" State ADA Coordinator. The web as well as 211 have me listed, still, as the State ADA Coordinator. Contacted DAS who I usually direct questions to regarding the ADA. In addition, until the Gov. appoints an ADA Coordinator, I am, directing them to the New England Regional ADA technical assistance center in Massachusetts. They serve the tri-state area and have a wealth of information all titles of the ADA. Their number is 1-800-949-4232
- ❖ DAS will answer calls that they are capable of until an appointment is made.
- ❖ Case Manager Supervisor and I met with Guardian regarding the request to move individual that DDS supports to another residence closer to Guardian. Private provider does not believe this is best for individual who they say is thriving under their supports. While the individual plus the Guardian want to move, we wanted to meet with Guardian to make sure this was not just a capricious move.
- ❖ After a meeting with Guardian it was determined that if the individual agrees to the move and Guardian feels is best then there was no reason to oppose. In addition, if things did not work out individual could move back after 30 days.
- ❖ New England ADA Center, Director of ADA Training and Assistance
- ❖ Council on Developmental Disabilities
- ❖ DORS CDHI met regarding interpreters.

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- ❖ Department of Mental Health and Addiction Services, Client Rights and Grievance Specialist
- ❖ Quarterly Private Provider Meeting
- ❖ Meeting with members of Deaf community to go over issues
- ❖ Met with Training department to go over ADA PowerPoint presentation
- ❖ Met with University of Hartford, Doctoral PT students.
- ❖ Meeting with members of Deaf and Hard of Hearing community

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## Contributors to the Annual Report

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